

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SHANE JONES, )  
 )  
 Plaintiff, )  
 )  
 vs. ) CIVIL NO. 13-cv-1330-JPG  
 )  
 CHAPLAIN M. WILLIAMS, )  
 )  
 Defendant. )

**MEMORANDUM AND ORDER**

**GILBERT, District Judge:**

On December 20, 2013, this case was severed from *Jones & Cowans v. Martin, et al.*, No. 13-cv-919-JPG-DGW, and Plaintiff was ordered to either pay the filing fee for this case or inform the Court that he wished to dismiss the action, no later than January 24, 2014 (Doc. 1). Plaintiff filed a motion in this case on January 16, 2014 (Doc. 5), stating he “no longer wish[es] to pursue the legal suit” against Defendant Williams. Plaintiff states that it was not Defendant Williams who “oppress[ed]” his religious beliefs, but instead it was a correctional officer (Doc. 5, p. 1). He concludes by asking the Court to “please take Defendant Williams off my legal suit.” *Id.*

Plaintiff’s complaint did not state that any other prison official was involved in this severed claim, which asserted that he was denied permission to have a Qur’an because of his race. Defendant Williams was the only person associated with this claim. Because Plaintiff has informed the Court that he does not wish to further pursue this claim against Defendant

Williams, and has not identified any other Defendant, the Court shall construe his motion (Doc. 5) as a motion to voluntarily dismiss this entire case, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Voluntary withdrawal of his claim is Plaintiff's right. Accordingly, the motion (Doc. 5) is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE**. *See* FED. R. CIV. P. 41(a)(1)(A)(i). As specified in the severance order in this matter, Plaintiff shall not be assessed any filing fee for this action. If Plaintiff wishes to revive this claim against the individual who infringed upon his rights, he must file a new action.

All other pending motions are **DENIED** as moot.

**IT IS SO ORDERED.**

**DATED: January 21, 2014**

s/J. Phil Gilbert  
UNITED STATES DISTRICT JUDGE